

# Program Notice

FGIS-PN-08-10

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## INSPECTION OF FLOOD DAMAGED GRAIN

### 1. PURPOSE

The purpose of this notice is to provide guidance for grading and certifying flood damaged grain and reporting actionable lots to the Food and Drug Administration (FDA).

### 2. REPLACEMENT HIGHLIGHTS

This notice supersedes Policy Bulletin Board memo #159, "Grading Flood Damaged Grain", dated April 9, 1997.

### 3. BACKGROUND

The Federal Grain Inspection Service (FGIS) and FDA have certain mutual objectives in carrying out their respective service and regulatory functions. In accordance with the FGIS-FDA Memorandum of Understanding, FGIS reports to FDA certain lots of grain, rice, pulses, or food products which are considered "actionable" under the Food, Drug, and Cosmetic Act.

Higher than normal spring rainfall and levee failures have resulted in significant flooding and put stored grain at risk along significant portions of the nations waterways. FDA considers flood water to be inherently insanitary and deems grains, oilseeds, feed, and feed ingredients (including distillers grains) and food that have been in contact with flood water to be unfit for human consumption or animal feed, unless reconditioned.

The flood situation has alerted FGIS of the potential for water damaged grain entering the marketplace. Accordingly, FGIS has developed procedures for inspecting flood damaged grain.

### 4. PROCEDURES

Kernels that are materially damaged by flooding are considered as damaged kernels and count toward the total percentage of damaged kernels in the sample.

The determination of distinctly low quality (DLQ) is based on the appearance and condition of the lot or sample as a whole. Grain materially affected by flooding is considered as DLQ and certified as U.S. Sample Grade. Additionally, official personnel must report identifiable lots that are DLQ to the district FDA office as "actionable" in accordance with Directive 9060.2, dated 5-1-97.

Note: Only officially sampled lots are considered as “actionable” under FDA reporting criteria. Therefore, do not report to FDA any submitted samples that are DLQ because of flood damage.

## **5. QUESTIONS**

Direct any questions concerning this policy to the Policies and Procedures Branch at (202) 720-0224. Direct any questions concerning grading guidelines to the Board of Appeals and Review at (816) 891-0418.

**/s/ John Giler**

John Giler, Director  
Field Management Division